REMARKS

Claims 1-23 and 34-37 are pending in the Application. Claims 22 and 23 are amended.

Claims 1, 5-6, 8, 11, 15-16, 18, 22-23 and 36-37 are independent.

Claim Objections

Claim 17 was partially obstructed by a piece of paper during transmission to the Patent

Office. Claim 17 remains in its original and un-amended form and is now being submitted

without obstruction. Withdrawal of the objection is requested.

Allowable Subject Matter

Claims 2-9, 12-16, 18-21, 34, 35 and 37 are allowed. (Office action, p. 2.)

Applicants apologize for the physical obstruction of claim 17. However, claim 17

depends from claim 16 and is also allowable at least because of its dependence from the allowed

claim 16.

Claim Rejections – 35 U.S.C. 101

Claims 22-23 are rejected under 35 U.S.C. 101 as allegedly directed to non-statutory

subject matter.

Claim 22 is amended to recite "A memory component storing a control program."

Support for this amendment may be found in paragraph [0158] of the published Application.

(U.S. Patent Application Publication No. 2005/0086592.)

Claim 23 is amended to recite "A memory component storing a computer readable

program code embodied." Support for this amendment may be found in paragraph [0158] of the

published Application.

Applicants submit that, as amended, claims 22 and 23 are directed to statutory subject matter that is described in the specification of the current Application.

Withdrawal of the objections is requested.

<u>Claim Rejections – 35 U.S.C. 103</u>

Claims 1, 11, 22, 23 and 36 are rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Marcu (U.S. Patent Application Publication No. 2002-0046018) in view of Corston (U.S. Patent No. 6,901,399).

Claim 10 is rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Marcu in view of Corston and further in view of Nakao (US 6,205,456).

Applicants traverse the rejection of claims 1, 10, 11, 22, 23 and 36, in view of the following arguments.

<u>Claim 1</u>

Claim 1 recites "A method of determining a hybrid text summary comprising the steps of: determining discourse constituents for a text; determining a structural representation of discourse for the text; determining <u>relevance scores for the discourse constituents based on at least one non-structural measure of relevance; percolating the relevance scores</u> based on the structural representation of discourse; and determining a hybrid text summary." (Emphasis added.)

According to the Office action (p. 8) all elements of claim 1 except for the elements reciting "determining relevance scores ... percolating the relevance scores" are allegedly taught by Marcu. The elements of "determining relevance scores ... percolating the relevance scores" are allegedly taught by Corston, according to the Office action.

Corston, however, is directed to a "system [that] filters documents in a document set retrieved from a document store in response to a query." (Corston, Abstract.) The cited portion

of Corston (col. 1, line 63 to col. 2, line 2) states that "Typical information retrieval systems

search documents in the larger data store at either a single word level, or at a term level. Each of

the documents is assigned a relevancy (or similarity) score, and the information retrieval system

presents a certain subset of the documents searched to the user, typically that subset which has a

relevancy score which exceeds a given threshold." This passage, and Corston in general, pertain

to searching a database for documents. As such, Corston does not teach "relevance scores for the

discourse constituents based on at least one non-structural measure of relevance" of claim 1.

The Office action is citing to Corston, col. 33, line 65 to col. 34, line 9 and col. 45, lines

37-55, for teaching the based on "the structural representation of discourse." However, the

portion of the claim element reciting "based on at least one non-structural measure of relevance"

is still not accounted for in Corston. The method of Corston is text-based and based on structure

of the text; as such it does not teach "non-structural measures of relevance" of claim 1.

As for the claim element of "percolating the relevance scores," the Office action (p. 9) is

asserting percolating the scores to be obvious without providing any evidence in support of this

assertion. Applicants respectfully request evidence in support of the allegation of the Office

action that percolating the scores is obvious.

As such, Corston fails to teach or suggest elements of "determining relevance scores ...

percolating the relevance scores" of claim 1 for which it is cited. Applicants submit that claim 1

is patentable over Marcu and Corston, alone or in combination. The third reference, Nakao, that

is cited against claim 10 fails to cure the deficiency of the other two references.

As such, claim 1 is believed to be patentable over all cited references, Marcu, Corston

and Nakao, alone or in combination.

18

Claim 10 depends from claim 1 and is patentable over the cited references at least because of its dependency from claim 1.

Claim 11

Claim 11 recites in part "a relevance score determination circuit for determining relevance scores for the discourse constituents based on at least one non-structural measure of relevance; a percolation circuit for percolating discourse constituent relevance scores based on the structural representation of discourse ...." (Emphasis added.)

Claim 11 is believed to be patentable over all cited references, Marcu, Corston and Nakao, alone or in combination, for reasons similar to those cited above for claim 1.

Claim 22

Claim 22 recites in part "instructions for determining relevance scores for discourse constituents based on at least one non-structural measure of relevance; instructions for percolating relevance scores based on the structural representation of discourse ...." (Emphasis added.)

Claim 22 is believed to be patentable over all cited references, Marcu, Corston and Nakao, alone or in combination, for reasons similar to those cited above for claim 1.

Claim 23

Claim 23 recites in part "determining relevance scores for discourse constituents based on at least one non-structural measure of relevance; percolating relevance scores based on the structural representation of discourse ...." (Emphasis added.)

Claim 23 is believed to be patentable over all cited references, Marcu, Corston and Nakao, alone or in combination, for reasons similar to those cited above for claim 1.

Claim 36

Claim 36 recites in part "means for determining <u>relevance scores</u> for discourse constituents <u>based on at least one non-structural measure of relevance</u>; means for <u>percolating relevance scores </u>based on the structural representation of discourse ...." (Emphasis added.)
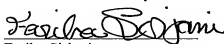
Claim 36 is believed to be patentable over all cited references, Marcu, Corston and Nakao, alone or in combination, for reasons similar to those cited above for claim 1.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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20